

MOTION BY SUPERVISOR HILDA L. SOLIS

September 1, 2015

Developing a safe, effective, and cost-efficient diversion infrastructure is in the best interests of the residents and taxpayers of Los Angeles County. The Office of Diversion and Re-Entry is the appropriate entity to steer and coordinate that work. However, creating, staffing, and funding a new office will take time, and the County cannot pause this work until that is done. The County must continue to build its internal capacity and knowledge base concurrently with the development of the Office of Diversion and Re-Entry. This motion is intended as a companion piece to the motion introduced by Supervisors Ridley-Thomas and Kuehl that would establish an Office of Diversion.

I, THEREFORE MOVE that the Board:

1. Direct the Interim Chief Executive Officer, in consultation with the Permanent Steering Committee, further develop and extend the preliminary capacity assessment presented by Health Management Associates of all community-based alternative options for treatment, including, but not limited to, mental health and substance abuse treatment, and to report back via written report and public presentation within 180 days. This further assessment should be conducted in cooperation with local community-based mental health and

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substance abuse service providers and with input from organizations across the country that have successfully treated those with mental illness, substance abuse, and co-occurring disorders and have a history of criminal justice system involvement in the community. The final capacity assessment should include:

- a. A description of the various types of treatment options available outside of a jail setting, including, for each type:
 - i. the diagnoses and acuity-levels appropriate
 - ii. the licensing requirements and process for establishing new facilities;
 - iii. the brick-and-mortar and land requirements; and
 - iv. the nature and scope of services required.
 - b. An inventory of the existing capacity within Los Angeles County, categorized by type.
 - c. An inventory of the current utilization for these facilities and programs.
 - d. An assessment of what would be required to significantly increase the capacity in the County, what components already exist (e.g. underutilized housing stock, availability of trained service providers, including those with experience in mental health, substance abuse, and co-occurring disorders, availability of local, state and federal funds for services such as Assertive Community Treatment and permanent supportive housing, both congregate and scattered site, including rental subsidies and capital development), and what components would need to be developed and/or expanded.
2. Direct the Executive Director of the Countywide Criminal Justice Coordination Committee report back to the Permanent Steering Committee and to the Board in 60 days with their conclusions regarding the selection and implementation of a

validated risk-assessment tool to support a pretrial release program. The report should include a description of existing pre-trial release efforts and the target population for expansion of pre-trial release as well as potential impacts on public safety.

3. Direct the Interim Chief Executive Officer, in collaboration with the Permanent Steering Committee to report back to the Board in 60 days with a recommendation for whether pre-trial risk analysis should be conducted by the Sheriff, the Probation Department, the court system, or by all.
4. Direct County Counsel to report back in 30 days with a status update regarding ongoing negotiations pertaining to the development or purchase of a post-conviction risk assessment tool.
5. Direct the Public Defender to convene a Prop 47 Taskforce comprising senior management representatives from the Alternate Public Defender, the District Attorney, the Superior Court, the Los Angeles County Bar Association Indigent Criminal Defense Program, Post-Conviction Assistance Center, Department of Mental Health, the Sheriff, the Probation Department, the Department of Public Social Services, the Information Systems Advisory Body and the Registrar Recorder, and any other relevant departments he deems necessary, as well as a service-provider representative and an advocacy organization representative from the Los Angeles Area Regional Reentry Partnership, to prepare an update to the Board regarding the number of Los Angeles County residents eligible for Proposition 47 reclassification and the number processed to date, and to develop a County-wide plan for identifying and processing all of these reclassifications before the statutory deadline, and to report back to the Board in writing in 60 days. The plan developed should consider means by which departments that regularly interact with the public can identify eligible candidates and provide them with or link them to the resources they need to complete the reclassification process.

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HLS/bp